



12-3-03

RCE/3751 #

PTO/SB/30 (09-03)

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**Request
for
Continued Examination (RCE)
Transmittal**

Address to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Application Number	10/085,464
Filing Date	02/27/2002
First Named Inventor	Donald W. Crowe, Jr.
Art Unit	3751
Examiner Name	Robert M. Fetsuga
Attorney Docket Number	01-4951

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JAN 07 2004

TECHNOLOGY CENTER R3700

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

a. ☒ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i. ☐ Consider the arguments in the Appeal Brief or Rely Brief previously filed on _____

ii. ☐ Other _____

b. ☒ Enclosed

i. ☒ Amendment/Reply

iii. ☐ Information Disclosure Statement (IDS)

ii. ☐ Affidavit(s)/ Declaration(s)

iv. ☐ Other _____

2. Miscellaneous

a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

b. ☐ Other _____

3. Fees

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

The Director is hereby authorized to charge the following fees, or credit any overpayments, to

a. ☐ Deposit Account No. _____

i. ☒ RCE fee required under 37 CFR 1.17(e)

ii. ☒ Extension of time fee (37 CFR 1.136 and 1.17)

iii. ☐ Other _____

b. ☒ Check in the amount of \$ 440.00 _____ enclosed

c. ☐ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (Print/Type)	Edward M. Livingston	Registration No. (Attorney/Agent)	28,523
Signature	<i>Edward M. Livingston</i>	Date	12-30-2003

CERTIFICATE OF MAILING OR TRANSMISSION**Express**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as ~~first class~~ mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print/Type)	Angela M. Villanueva	Date	12-30-2003
Signature	<i>Angela M. Villanueva</i>		

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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UNITED STATES COMMISSIONER OF PATENTS AND TRADEMARKS

IN RE: Application of : Donald W. Crowe, Jr.
 Serial No. : 10/085,464
 Filing Date : 02/27/2002
 For : BOLT KEEPER TOILET FLANGE
 Atty. Doc. No. : 01-4951

Examiner: Robert M. Fetsuga
Art Unit: 3751

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Commissioner for Patents
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REQUEST FOR CONTINUED EXAMINATION (RCE)
UNDER 37 CFR 1.114

Dear Sir:

This is a Request for Continued Examination ("RCE") under 37 *C.F.R.* §1.114 of prior application number 10/085,464, filed on February 27, 2002, entitled "BOLT KEEPER TOILET FLANGE."

1. A preliminary Response and Amendment accompanying this RCE is enclosed.

2. A petition and fee under 35 *CFR* 1.136(a) to extend the response date from December 2, 2003 to January 5, 2004 is being filed simultaneously herewith.

3. The small entity statement was filed in the parent application referenced above and this status is still proper and its benefit under 37 *CFR* 1.28(a) is hereby claimed.

4. The filing fee accompanying this application is calculated as follows:

Basic Fee	\$385.00
Additional fees:	
Total no. of claims in excess of 20, @ \$9.00/each: (0)	0.00
Number of Independent claims in excess of 3, @ \$43.00/each: (0)	0.00
Multiple Dependent claims \$145.00 per application: (0)	0.00
TOTAL FILING FEE	<hr/> \$385.00

5. The current power of attorney in the file wrapper of the prior application remains the same to Edward M. Livingston, Patent Attorney Reg. No. 28,523, which appears in the papers contained in the file wrapper. Please address all future correspondence to:

Edward M. Livingston, Esq.
963 Trail Terrace Dr.
Naples, FL 34103



Respectfully submitted,

By: *Edward M. Livingston*
Edward M. Livingston, Esq.
Edward M. Livingston, P.A.
963 Trail Terrace Drive
Naples, FL 34103
(239) 262-8502

Attorney for Applicant
Reg. No. 28,523

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CERTIFICATE OF MAILING by "EXPRESS MAIL"
UNDER 37 CFR 1.10

I HEREBY CERTIFY that the above Request for Continued Examination ("RCE") is being deposited with the United States Postal Service by "Express Mail Post Office to Addressee" service, U.S. Express Mail No. ER 215504760 US, on the 30th day of December, 2003, addressed to Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Angela M. Volamier
Legal Assistant